

**ASSIGNED**

Serial No. 11759

APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JAN 23 1947  
Returned to applicant for correction  
Corrected application filed

The undersigned Less Lytle, Freel Lytle and Mrs. P. H. Devlin  
Name of applicant  
of Pioche, County of Lincoln  
State of Nevada, hereby make application for  
permission to appropriate the public waters of the State of Nevada, as  
hereinafter stated. (If applicant is a corporation, give date and place  
of incorporation.)

1. The source of the proposed appropriation is Rose Valley Creek.  
Name of stream, lake, or other source
2. The amount of water applied for is 3.5 second-feet.  
One second-foot equals 40 miners' inches.
3. The water to be used for Irrigation and domestic  
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:

SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 15, T. 1 N., R. 69 E., or at a point from which the South  
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.  
East corner of Section 21, T. 1 N., R. 69 E. bears S. 8°45'W. 6,439 feet

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is approximately 340
- (b) Description of land to be irrigated NE $\frac{1}{4}$ , E $\frac{1}{2}$  NW $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$ .  
Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.  
Section 21; the E $\frac{1}{2}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 28 and the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 16  
all in Township 1 North Range 69 East M.D.M.
- (c) Use will begin about Mar. 15 and end about Sept. 15, of each year.  
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is horsepower.
- (e) Place of use  
Give location of place of use by legal subdivision
- (f) Point of return of water to stream  
Describe in same manner as point of diversion
- (g) State number and kinds of animals to be watered
- (h) Use will begin about \_\_\_\_\_ and end about \_\_\_\_\_, of each year.  
Month Month
- (i) Remarks This application is made to protect a vested right the applicants have obtained through deeds and court decrees, together with a continual use of said waters upon said lands for a period of more than forty years, last past.

### DESCRIPTION OF PROPOSED WORKS

A dam in the creek and ditches from the dam to the lands to be irrigated.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$500.00 each year to maintain the dam and ditches.

6. Estimated time required to construct works all complete

7. Remarks

For use of applicant

Less Lytle, Freel Lytle,  
and Mrs. P. H. Devlin  
Applicant.

By Less Lytle

Compared AT - C.T.

This sheet inspected

Engineer.  
Protested April 7, 1947 by Henry Hammond.

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the granting of this permit does not increase the duty of water on lands having a vested right and that the permit will in no way affect any duty of water that may hereafter be fixed by Court Decree. A substantial weir or other type of measuring device must be installed and maintained to facilitate the measurement of water. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.5 cubic feet per second.

Actual construction work shall begin on or before November 3, 1948

Proof of commencement of work shall be filed before December 3, 1948

Work must be prosecuted with reasonable diligence and be completed on or before November 3, 1949

Proof of completion of work shall be filed before December 3, 1949

Application of water to beneficial use shall be made on or before November 3, 1952. Proof of the application of water to beneficial use must be filed with State Engineer on or before December 3, 1952

JAN 28 1947

Proof of commencement of work filed OCT 25 1948 WITNESS MY HAND AND SEAL this 12th day

Proof of Completion of work filed NOV 17 1949

PROOF OF BENEFICIAL USE FILED OCT 27 1952 of May 1948

Amended PROOF OF BENEFICIAL USE FILED NOV 24 1952

Permit No 3918 Issued Feb 20, 1953 for 3.5 c.f.s

Renewal Jan 24, 1953 File No. 331 Page 331 ALFRED MERRITT SMITH

LINCOLN County Board

By

State Engineer

HUGH A. SHAMBERGER - Assistant